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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE: CASE NO. BK-N-11-52071

CHAPTER 7

ROESTENBURG, SHERI K.

**MOTION TO SELL DEBTOR'S
REMAINDER INTEREST IN REAL
PROPERTY**

**HEARING DATE: 11/09/2011
HEARING TIME: 10:00 A.M.**

Debtor.

_____/

COMES NOW, Jeri Coppa-Knudson, the duly appointed and acting Trustee in the above-entitled case and hereby moves the court for an Order selling the debtors remainder interest in the Real Property located at 15 East Lenwood, Sparks, Nv. to Daphne Schofield for \$10,000.00 cash and a release of her entire unsecured claim against the debtor.

Ms. Schofield currently resides in the property pursuant to a grant of a life estate from her late mother's trust. (Attached and incorporated herein as "Exhibit A")

Ms. Schofield was the original purchaser of the property, has resided in the home, and has made all the mortgage payments for the last 13 years.

On Ms. Schofield mothers' passing, the terms of the mothers' trust provided that ownership of the property was to be split between Ms. Schofield with a life estate and the Debtor with a remainder interest.

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1 The Debtor and Ms. Schofield have been involved in litigation for the past two years.
2 An order was issued in the suit outlining the debtor's responsibility to reimburse Ms. Schofield
3 for mortgage payments made by Ms. Schofield. (Attached and incorporated herein as
4 "Exhibit B") the debtor does not have the financial ability to reimburse the mortgage payment.
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6 The unsecured claim against the debtor by Ms. Schofield for the mortgage payments is
7 approximately \$63,500.00. The total of other unsecured debts is \$11,307.12.

8 Based on the adversarial nature of these title issues, the sale of the debtors remainder
9 interest to a 3rd party is highly unlikely. In addition, the property continues to deteriorate and a
10 home improvement loan has been out of the question due to the title issues.

11 The Trustee believes the sale of the debtor's remainder interest to Ms. Schofield for
12 \$10,000.00 cash and a release of her unsecured claim is in the best interest of the estate. This
13 amount would pay a high percentage to the debtor's unsecured creditors.

14 **WHEREFORE**, Trustee requests that this Court enter an Order authorizing the sale the
15 debtor's remainder interest in Real Property located at 15 East Lenwood, Sparks, Nv. to Daphne
16 Schofield in the amount of \$10,000.00, and in addition, a release of Ms. Schofield's entire
17 unsecured claim against the debtor and for any such further relief this Court deems necessary.

18 Dated this 6th day of October 2011.

19 /s/ Jeri Coppa-Knudson
20 Jeri Coppa-Knudson, Trustee
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